IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

OP.No. 30577 of 2002(M)

PETITIONER:

M/S. DIODE INFORMATION TECHNOLOGIES PVT. LTD., 2ND FLOOR, STR BUILDING, VEEKSHANAM ROAD, COCHIN-35, REP. BY ITS DIRECTOR, SANTOSH J.K. MOSQUE ROAD, FRAZER TOWN, BANGALORE- WHO IS REP. BYAUTHORIZED REP. SATHISH NAIR, DIODE INFORMATION TECHY.PVT.LTD.2ND FLOOR, STR BUILDING. COCHIN-35.

BY ADV. SRI.ANTONY C. ETTUKETTIL

RESPONDENTS:
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1. THE KERALA STATE INDUSTRIAL DEVELOPMENT CORPORATION, KOWDIAR, THIRUVANANTHAPURAM-695 003, REP. BY ITS SECRETARY.

2. THE DEPUTY TAHSILDAR (R.R), ALUVA.

3. STATE OF KERALA, REP. BY CHIEF SECRETARY, SECRETARIAT, TRIVANDRUM.

BY ADV. SMT.T.B.RAMANI, GOVERNMENT PLEADER
SC FOR KSIDC
SRI.M.PATHROSE MATHAI
SRI.SAJI VARGHESE

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.NO. 30577/2002

ORDER ON CMP NO.51777/2002 IN O.P.NO. 30577/2002

DISMISSED.

29/11/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF DEMAND NOTICE DATED 11/10/2001 ISSUED by the 1ST RESPONDENT ON THE PETITIONER.

P2 : COPY OF THE DEMAND NOTICE ISSUED by the 2ND RESPONDENT UNDER SECTION 7 OF THE RR ACT.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 30577 of 2002

Dated, this the 29th day of November, 2007

J U D G M E N T

Petitioner has admitted availing a loan from 1st respondent in the year 2000 and failed to remit the same. This Court granted a conditional stay on 21/10/2002 directing the petitioner to pay rupees thirty lakhs as condition for stay. Learned standing counsel for 1st respondent submitted that no amount is paid. If no amount is paid, it was the duty of the respondents to proceed for recovery, as the stay order was no longer in force. Since the liability is admitted, first respondent is entitled to recover the arrears.

This original petition is, therefore, dismissed.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg